

CAUSE NO. 2017CI11345

CORRINA B. KENWISHER	§	IN THE DISTRICT COURT
Plaintiff	§	
	§	
v.	§	57 TH JUDICIAL DISTRICT
	§	
SEARS HOLDINGS MANAGEMENT	§	
CORPORATION and ABRAHAM	§	
GONZALEZ, INDIVIDUALLY	§	BEXAR COUNTY, TEXAS

NOTICE OF BANKRUPTCY FILING AND IMPOSITION OF AUTOMATIC STAY

PLEASE TAKE NOTICE that on October 15, 2018, (the “**Commencement Date**”), Sears Holdings Corporation and its debtor affiliates Sears Holdings Management Corporation, as debtors and debtors in possession in the above-captioned chapter 11 cases (collectively, the “**Debtors**”) each commenced a voluntary case (the “**Chapter 11 Cases**”) under chapter 11 of title 11 of the United States Code (11 U.S.C. § 101 *et seq.*) (the “**Bankruptcy Code**”) in the United States Bankruptcy Court for the Southern District of New York (the “**Bankruptcy Court**”). The Chapter 11 Cases are being jointly administered under Case No. 18-23538 (RDD) (the “**Bankruptcy Cases**”). A copy of the applicable [Debtor’s/Debtors’] chapter 11 petitions is attached hereto as **Exhibit A**.

PLEASE BE ADVISED that pursuant to section 362(a) of the Bankruptcy Code (the “**Automatic Stay**”), the filing of a bankruptcy petition “operates as a stay, applicable to all entities,” of, among other things “the commencement or continuation, including the issuance or employment of process, of a judicial, administrative, or other action or proceeding against the debtor that was or could have been commenced before the commencement of the case under [the Bankruptcy Code], or to recover a claim against the debtor that arose before the commencement of the [bankruptcy] case” and “any act to obtain possession of property of the estate or of property from the estate or to exercise control over property of the estate.” 11 U.S.C.

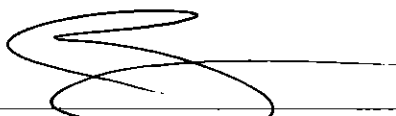
§ 362(a)(1), (3). Accordingly, the above-captioned matter has been automatically stayed pursuant to section 362(a) of the Bankruptcy Code.

PLEASE BE FURTHER ADVISED that any action taken against the Debtors without obtaining, from the Bankruptcy Court, relief from the Automatic Stay is void *ab initio* and may result in a finding of contempt for violation of the Automatic Stay. The Debtors reserve and retain their statutory right to seek relief in the Bankruptcy Court from any action by Plaintiff(s) or any judgment, order, or ruling entered in violation of the Automatic Stay.

In the event the Court or any parties have questions regarding the Chapter 11 Cases, please contact counsel for the Debtors:

WEIL, GOTSHAL & MANGES LLP
767 Fifth Avenue
New York, New York 10153
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Ray C. Schrock P.C.
Jacqueline Marcus
Garrett A. Fail
Sunny Singh

Dated: October 19th, 2018



LES KATONA, JR.
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**ATTORNEY FOR DEFENDANT,
SEARS HOLDINGS MANAGEMENT
CORPORATION**

AFFIRMATION OF SERVICE BY FEDERAL EXPRESS

I, LES KATONA, JR., an attorney duly admitted to practice law before the courts of the State of Texas, hereby affirms the following to be true under penalty of perjury:


I am over the age of eighteen (18) years, am employed by the law firm of Cavaretta, Katona & Leighner, PLLC, and am not a party to this action.

On the 19th day of October, 2018, I served a copy of the foregoing Notice of Suggestion of Bankruptcy in the above-captioned action upon

Thomas J. Henry
Curtis W. Fitzgerald, II
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Corpus Christi, Texas 78401
cfitzgerald-svc@tjhlaw.com
Attorney for Plaintiff

by depositing a true copy of the same in a properly addressed wrapper into the custody of FedEx, an overnight delivery service for overnight delivery, prior to the latest time designed by FedEx for overnight delivery.

Dated: October 19th, 2018



LES KATONA, JR.

CERTIFICATE OF SERVICE

I do hereby certify that on the 19th day of October, 2018, a true and correct copy of the above and foregoing document was furnished to all counsel of record as indicated below:

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VIA ELECTRONIC FILING SERVICE



LES KATONA, JR.